

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)

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MidFirst Bank

In Re:
Derick O. Siebs,

Debtor.



Order Filed on August 16, 2018
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No.: 18-14810 RG

Adv. No.:

Hearing Date: 6/20/18

Judge: Rosemary Gambardella

ORDER RESOLVING OBJECTION TO CONFIRMATION

The relief set forth on the following pages, numbered two (2) through three (3) is hereby **ORDERED**.

DATED: August 16, 2018

A handwritten signature in cursive script that reads "Rosemary Gambardella".

Honorable Rosemary Gambardella
United States Bankruptcy Judge

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Debtor: Derick O. Siebs

Case No: 18-14810 RG

Caption of Order: ORDER RESOLVING OBJECTION TO CONFIRMATION

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, MidFirst Bank, holder of a mortgage on real property known as 90 PINE GROVE TER NEWARK, NJ 07106-1909, Denise Carlon, Esq. appearing, upon an objection to confirmation of Debtor's Chapter 13 plan, and this Court having considered the representations of attorneys for Secured Creditor and Bruce W. Radowitz, Esq., attorney for Debtor, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of August 3, 2018, Secured Creditor has advanced \$1,269.00 for post-petition escrow advances; and

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the post-petition escrow advances in the amount of \$1,698.89 shall be added to the affidavit of amount due and paid through Debtor's Chapter 13 plan; and

It is further **ORDERED, ADJUDGED and DECREED** that for the duration of Debtor's Chapter 13 bankruptcy proceeding, Debtor shall pay all post-petition escrow items directly, including but not limited to property taxes and insurance, and if Debtors do not maintain these payments, Secured Creditor can advance for these items and/or seek relief from this Court by filing a certification of default; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor's claim will be paid off in full through Debtor's Chapter 13 plan; and

It is further **ORDERED, ADJUDGED and DECREED** that the total amount to be paid to Secured Creditor through Debtor's Chapter 13 plan is broken down as follows:

- \$67,678.40 due at the time of filing;
- \$14,173.05 interest rate over 60 months (7.75%)
- \$1,698.89 for post petition escrow
- **TOTAL: \$83,550.34**

It is **FURTHER ORDERED, ADJUDGED and DECREED** that upon successful completion of said payments, repayment of all post-petition escrow advances, and receipt of a discharge in this Chapter 13 proceeding, this lien shall be released and extinguished; and

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Debtor: Derick O. Siebs

Case No: 18-14810 RG

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It is **FURTHER, ORDERED, ADJUDGED** and **DECREED** that Secured Creditor, shall file a release of the lien with the recorder of deeds in Essex County for the underlying mortgage within 30 days of the completion of the plan payments, repayment of outstanding escrow advances, and receipt of discharge; and

It is **FURTHER, ORDERED, ADJUDGED** and **DECREED** that in the event Secured Creditor fails to discharge the mortgage within the prescribed period, the Debtor and/or Debtor's counsel may record with the recorder of deeds a certified or exemplified copy of this order, along with a copy of the bankruptcy discharge order, which shall have the same force and effect of a discharge of mortgage.

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor's objection to confirmation is hereby resolved.

Certificate of Notice Page 4 of 4
United States Bankruptcy Court
District of New Jersey

In re:
Derick O. Siebs
Debtor

Case No. 18-14810-RG
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Aug 16, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 18, 2018.

db +Derick O. Siebs, 90 Pine Grove Terrace, Newark, NJ 07106-1909

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 18, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 16, 2018 at the address(es) listed below:

Bruce W. Radowitz on behalf of Debtor Derick O. Siebs bradowitz@comcast.net,
r45676@notify.bestcase.com
Denise E. Carlon on behalf of Creditor MIDFIRST BANK dcarlon@kmlawgroup.com,
bkgroup@kmlawgroup.com
Marie-Ann Greenberg magecf@magtrustee.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 4